IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH JAIPUR

Order

S.B. CIVIL MISC. APPEAL NO.2750/2005
LAKSHMAN RAM SAINI V. CHHOTU RAM AND OTHERS

DATE OF ORDER :::::: OCTOBER 31, 2006

PRESENT

HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Mr.Vinay Mathur,for the appellant

This appeal for enhancement of the compensation has been filed by the injured-claimant, challenging the Award dated 29.6.2005 passed by the Judge, Motor Accident Claims Tribunal, Neem-ka-thana in Claim Petition No.59/2001 whereby compensation amounting to Rs.40,000/- has been awarded.

The facts of the case, in brief, are that on 18.3.2000 when Lakshman and Rakesh along with Prabhu Dayal were standing on Mundaru Bus Stand, at about 4.30 p.m. Jeep bearing registration No.RJ-14-C-9763 hit the claimant and his brother on account of which injuries were caused.

Submission of the learned counsel is that for 5.6% permanent disability suffered by the claimant, some more amount should have been awarded.

I have heard learned counsel for the appellant and perused the impugned Award.

The Tribunal has considered the fact that in right leg of the claimant, there was fracture on account of which the claimant suffered 5.6% permanent disability for which lump sum amount of Rs.30,000/- has been awarded. Apart from this, a sum of Rs.10,000/- has been awarded for nutritious diet and transportation, thus a total sum of Rs.40,000/- has been awarded.

I am of the view that for 5.6% permanent disability the Tribunal has rightly awarded Rs.30,000/- and further Rs.10,000/- on account of nutritious food and transportation charges.

In the above facts and circumstances, I am of the view that the compensation awarded by the Tribunal is just, legal and proper and no interference is called for in this appeal.

The appeal is, therefore, dismissed.

(PREM SHANKER ASOPA),J.

GOPAL